IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE CIVIL JURISDICTION

WRIT PETITION NO.3485 OF 1995

M/s.Nitin Castings Ltd.).. Petitioner

Versus

Appa B.Avghade and another).. Respondents

Mr.P.N.Shastri for the Petitioner.

None present for Respondent No.1.

Respondent No.2 formal party.

CORAM: SMT.NISHITA MHATRE, J.

DATED: 11TH AUGUST 2004

P.C.:

. This Petition has been filed against Award Part-I dated 29th October 1994 passed by the Labour Court, Thane in Reference (IDA) No.145 of 1985 in which the Labour Court has held that the enquiry against the workman was not held in accordance with the principles of natural justice. Opportunity was granted to the Petitioner Company to lead evidence to justify its action taken for terminating the services of the workman. Although the Petition was admitted, interim relief was refused. Therefore, Award Part-II in all probability must have been made. In the event Award Part-II has been made and Petitioner Company is aggrieved, the Petitioner may approach this Court challenging both Award Part-I and

Award Part-II. The contentions raised in this Petition challenging Award Part-I are left open for the Petitioner to challenge in case they fail in the Reference. Writ Petition dismissed. Rule discharged. No order as to costs.